

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed August 19, 2005. In order to advance prosecution of this case, Applicants enclose a terminal disclaimer. Applicants respectfully request reconsideration and favorable action in this case.

Double Patenting Rejections

The Office Action rejects Claims 1-39 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-41 of co-pending Application No. 10/004,985 filed December 3, 2002 entitled *System and Method for Remote Retrofit Identification of Energy Consumption Systems and Components*. Without acquiescing to the merits of the rejection, Applicants respectfully file herewith a terminal disclaimer in compliance with 37 C.F.R. 1.321(c) to overcome the obviousness-type double patenting rejection. Applicants respectfully request reconsideration and allowance of Claims 1-39.

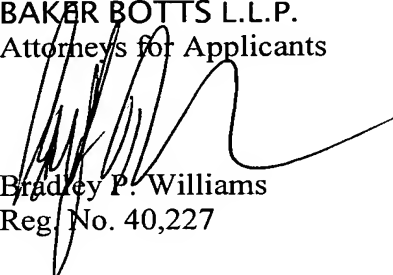
Conclusions

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other apparent reasons, Applicants respectfully request full allowance of all pending Claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

A check in the amount of \$130.00 is enclosed to cover the cost of filing the Terminal Disclaimer. Although Applicants believe no other fees are due, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants



Bradley P. Williams
Reg. No. 40,227

Date: November 21, 2005

CORRESPONDENCE ADDRESS:

Customer Number: **05073**